

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION**

NORMAN O. GLENN,

Plaintiff,

v.

JUDGE JOE C. BISHOP, *et al.*,

Defendants.

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CASE NO.: 1:25-CV-20 (LAG) (ALS)

ORDER

Plaintiff Norman O. Glenn, a prisoner in Smith State Prison in Glennville, Georgia, filed a *pro se* 42 U.S.C. § 1983 complaint. (Doc. 1). He did not use the required 42 U.S.C. § 1983 form. (*Id.*). Plaintiff did not pay the filing fee or move to proceed *in forma pauperis*. (*See* Docket). Instead, he filed an uncertified copy of his trust fund account statement and an “Affidavit of Poverty,” which apparently is used in the Georgia Superior Courts. (Doc. 1-1; Doc. 3). On March 3, 2025, the Court ordered Plaintiff to file his complaint using the standard 42 U.S.C. § 1983 form and either pay the \$405.00 filing fee or move to proceed *in forma pauperis* by filing (1) an affidavit in support of his claim of indigence and (2) “a certified copy of [his] trust fund account statement (or institutional equivalent) . . . for the 6-month period immediately preceding the filing of the complaint.” (Doc. 4). Plaintiff failed to respond.

On March 26, 2025, the Court ordered Plaintiff to show cause why his case should not be dismissed for failure to comply with the Court’s March 3, 2025 Order. (Doc. 7). Plaintiff responded to the Order to Show Cause and explained that he had not received the March 3, 2025 Order. (Doc. 8). In response, on April 8, 2025, the Court forwarded a copy of the March 3, 2025 Order to Plaintiff and provided another copy of the 42 U.S.C. § 1983 form and *in forma pauperis* documents. (Doc. 11). The Court allowed Plaintiff additional time to file the necessary complaint, filing fee, or motion to proceed *in forma pauperis*. (*Id.*

at 2). The time to respond to the Court's April 8, 2025 Order has passed. Plaintiff still has not filed the § 1983 complaint, paid the filing fee, or moved to proceed *in forma pauperis* by filing the documents required by 28 U.S.C. § 1915(a)(1)-(2).¹

Due to Plaintiff's failure to respond to and comply with the Court's Orders and prosecute this action, the case is hereby **DISMISSED without prejudice**. Fed. R. Civ. P. 41(b); *Brown v. Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) (first citing Fed. R. Civ. P. 41(b); then citing *Lopez v. Aransas Cnty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)) ("The court may dismiss an action *sua sponte* under Rule 41(b) for failure to prosecute or failure to obey a court order.").

SO ORDERED, this 4th day of June, 2025.

/s/ Leslie A. Gardner

**LESLIE A. GARDNER, CHIEF JUDGE
UNITED STATES DISTRICT COURT**

¹ Plaintiff filed various documents since receiving the March 26, 2025 Order to Show Cause and the April 8, 2025 Order extending the response time; but he has not file a completed 42 U.S.C. § 1983 form, paid the file fee, or properly moved to proceed *in forma pauperis*. (Docs. 8, 9, 10, 12, 13; *see* Docket).